

BILL NO. S-77-03-32

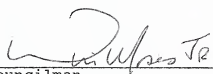
SPECIAL ORDINANCE NO. S- 74-77

AN ORDINANCE approving blanket purchase order for materials for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated March 7, 1977, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Bituminous Materials Company, Inc., Civil City Purchase Order No. B 4-00393, for a blanket order for Chip & Seal Asphalt Emulsion and Penetration Asphalt Cement for the 1977 season, all of which will be charged against the Street Department as the supplies are needed, which said purchase order is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY

Read the first time in full and on motion by Moses, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the day of \_\_\_\_\_, 1976, at \_\_\_\_\_ o'clock P.M., E.S.T.

DATE: 3-22-77

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER				<u>✓</u>	
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 4-12-77

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. S-74-77 on the 12th day of April 1976.

ATTEST

(SEAL)

Charles W. Westerman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1976, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 19th day of April, 1976, at the hour of 6:00 o'clock P.M., E.S.T.

Robert E. Elamations  
MAYOR

Bill No. S-77-03-32

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance  
approving blanket purchase order for materials for the  
Street Department

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

WINFIELD C. MOSES, JR. - CHAIRMAN

DONALD J. SCHMIDT

VIVIAN G. SCHMIDT

PAUL M. BURNS

SAMUEL TALARICO

DATE 4-12-77 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

# Memorandum

To H. P. Wehrenberg, Board of Works

Date March 7, 1977

From Purchasing Department

Subject Bid Ref. No. 768 - Chip & Seal Asphalt - Street Dept.

## COPIES TO:

W. N. White

Enclosed you will find Bid Documents (Bid No. 768) relating to Purchase Order Number 4-00393 which is prepared favoring Bituminous Materials for: AE-150 and CRS-2 Chip & Seal Asphalt Emulsion, and AP-1 and AP-3 Penetration Asphalt Cement - for an estimated maximum cost of \$134,420.00.

The following documents are attached in support of the recommendation for acceptance of Bituminous Materials offer:

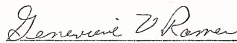
1. Copy of Tab Sheet
2. Copy of Mailing List
3. Copies of four Bids received
4. Copy of Purchase Order


Eight (8) Vendors were mailed Invitations to Bid. Four Bids were received - only one Vendor bid on all four items.

As the enclosed Bid Tabulation Sheet indicates, of the eight potential bidders only 4 submitted offerings and only one Vendor submitted a bid on all four items at a firm price. There was discussion among the bidders during the bid opening that apparently producers are applying their capacities largely to fuel and gasoline, implying that asphalt might be in short supply this year. Bituminous Materials, however, assured us that the City's needs would be met.

Emulsified Asphalts, Inc. offering for Items #1 and #2, totals for the maximum quantity \$104,640.00, whereas the offering of Bituminous Materials totals \$103,580.00 for the maximum quantity. On Items #3 and #4, Pierceton's offering was low at their Laketon dock but higher at East Chicago and Whiting. Their offering also included provision for escalation. The firm price offering of Bituminous Materials on all items will be most beneficial to the City.

Please process all of the attached documents for Council approval. Please make sure that no confirming Purchase Order Number is communicated to Bituminous Materials until evidence of approval by Council is furnished to the Purchasing Department.

  
Genevieve V. Ramer

Approved:   
A. C. Lord

64-152-14

3/9/77

Tabulation of Bid:

Bid Reference No.: 768

Closing Date March 3, 1977

100,000 Gallons (More  
or Less) AE-150 Chip  
& Seal Asphalt  
Emulsion

200,000 Gallons (More  
or Less) CRS-2 Chip  
and Seal Asphalt  
Emulsion

300 Tons  
(More or Less)  
AP-3 Penetration  
Asphalt Cement

100 Tons  
(More or Less)  
AP-1 Penetration  
Asphalt Cement

Emulsified Asphalts, Inc.

4900 South Mason Avenue  
Chicago, Illinois 60638

A/A Attached  
AFD/comp

Bid Surety

comp

.3488

34.880.00

.3488

69.760.00

No Bid

No Bid

Bitucote Products Company

P. O. Box 133

Lockland, Ohio

AFD/comp

Bid Surety - comp

A/A

Attached

Bid Surety  
comp.

No Bid

.3686

73.720.00

No Bid

No Bid

Bituminous Materials

2720 East Durbin Road

Warsaw, Indiana 46580

A/A Attached

AFD/comp.

.3496/gal

.3431/gal

77.10/Ton

77.10/Ton

Laketon Asphalt Refinery Company, Inc.

P. O. Box 233

Laketon, Indiana 46943

A/A on F.I.C

Bid Surety - O.K.

(PIERCETON)

No Bid

No Bid

75.06 - LAKETON

81.56 - E. Chicago

75.06 Laketon

81.56 E. Chicago

Clark Oil Company

300 South Westend Avenue

Dayton, Ohio 45427

No Bid

No Bid

No Bid

No Bid

Dailey Asphalt Products, Inc.

2034 Oakland

Fort Wayne, Indiana 46808

Brooks Construction Company, Inc.

1123 Barthold Street

Fort Wayne, Indiana 46808

Wayne Asphalt & Construction Co., Inc.

6600 Ardmore Avenue

Fort Wayne, Indiana 46804

Bid Reference No. 768

Date March 3, 1977 - 3:00 P.M.

Vendors Name & Address

Cards Mailed

Bids Picked Up

Bids Mailed

Emulsified Asphalts, Inc.  
4900 South Mason Avenue  
Chicago, Illinois 60638

2-18-77

Bitucote Products Company  
P. O. Box 133  
Lockland, Ohio

4

Bituminous Materials  
2720 East Durbin Road  
Warsaw, Indiana 46580

10

Laketon Asphalt Refinery Company, Inc.  
c/o Pierceton Equipment Company, Inc.  
P. O. Box No. 233  
Laketon, Indiana 46943

11

Clark Oil Company  
300 South Westend Avenue  
Dayton, Ohio 45427

11

Dalley Asphalt Products, Inc.  
2034 Oakland  
Fort Wayne, Indiana 46808

11

Brooks Construction Company, Inc.  
1123 Barthold  
Fort Wayne, Indiana 46808

11

Wayne Asphalt & Construction Co., Inc.  
6600 Ardmore Avenue  
Fort Wayne, Indiana 46804

11

# CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES  
 NUMBER ONE EAST MAIN STREET  
 ROOM 470  
 FORT WAYNE, INDIANA 46802

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Ft Wayne Street Department  
 231 South Clinton St.  
 Fort Wayne, Indiana 46802

Bituminous Materials Company, Inc.  
 2720 East Durbin Road  
 Warsaw, Indiana 46580

## DELIVER TO:-

DEPARTMENT  
 OR DIVISION Same as above

## ADDRESS

CASH DISCOUNT TERMS \_\_\_\_\_ % IF PAID WITHIN \_\_\_\_\_ DAYS FROM DELIVERY AND  
 ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

64-152-14  
 PURCHASE ORDER NUMBER  
 B 4- 00393 3/4/77

DATE March 7, 1977

REF. NO.

REQ. NO. 4483-4484-4485

THE ABOVE INFORMATION MUST APPEAR ON  
 ALL INVOICES, BILLS OF LADING, DELIVERY  
 TICKETS, PACKAGES AND CORRESPONDENCE.  
**INVOICE IN DUPLICATE.**

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE  
 WANTED }

APPROPRIATION  
 AND FUND  
 NUMBER } 28-880-424

	QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
<b>TAX EXEMPT</b> (UNLESS OTHERWISE INDICATED)					
Blanket Purchase Order for 1977 Season					
Quantities shown are approximate					
COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE. <b>NOTE</b> ↓ <b>READ</b> INSTRUCTIONS ON THE BACK OF THIS <b>ORDER</b> THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER. UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED. UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND. EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY. IND. SALES TAX EXEMP. CERTIF. NO. 34508 IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION KINDLY RETURN IT WITH AN EXPLANATION.	100,000	/gals	AE-150 Chip & Seal Asphalt Emulsion	.3496	/gal
	200,000	/gals	CRS-2 Chip & Seal Asphalt Emulsion (Cationic)	.3431	/gals
	300	tons	AP-3 Penetration Asphalt Cement	77.10	/ton
	100	tons	AP-1 Penetration Asphalt Cement	77.10	/ton
Prices include delivery to 1700 S. Lafayette					
Per Bid Reference No. 768					
Requirements will be released on departmental Purchase Orders against this blanket order as required by the using department.					
SUBJECT TO CITY CLERK'S APPROVAL APPROVED Board of Public Works <i>Henry P. Weber</i> <i>James D. Lamar</i> <i>Max G. Reed</i>					
gvr					

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

City Controller

Per

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

Director of Purchases

Per

## CITY OF FORT WAYNE

## DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

## INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.\*

\*Mail all replies and correspondence, etc. to Attn. of A.C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

## REQUIRED FOR DELIVERY TO:

Department Street Department  
or Division 231 South Clinton Street  
Fort Wayne, Indiana 46803

Address Fort Wayne, Indiana 46803

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Thursday - March 3, 1977 - 3:00 P.M.

Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 84608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

## TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Service	Unit Price	Total Amount
00,000 Gallons		Item #1 (More or Less) AE-150 Chip & Seal Asphalt Emulsion. (Must conform to Indiana Highway Specifications No. 902.04)		
100,000 Gallons		Item #2 (More or Less) CRS-2 Chip & Seal Asphalt Emulsion (Cationic)		
500 Tons		Item #3 (More or Less) AP-3 Penetration Asphalt Cement	(1) \$75.06	\$ 22,518.00
100 Tons		Item #4 (More or Less) AP-1 Penetration Asphalt Cement	(1) \$75.06	\$ 7,506.00
		ALTERNATE SOURCE - ITEM #3 AND #4 The award of this Bid may be made on either an item by item, or on an overall basis, as we determine the most beneficial to the City.	(2) \$81.56	
<p>The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid. (1) - Source - Laketon, Ind. - Based on dock price of \$70.00 per ton (2) - Source - E. Chicago or Whiting, Ind. - Based on dock price of \$70.00 per ton.</p> <p>Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office.</p> <p>Specify Which: On File: <u>X</u> Attached: _____</p>				

Bid Bond required ☐ YES ☒ 5% Performance Bond ☒ \$2500.00  
See instruction item No. 14 on reverse side hereof.

Terms 00 % cash discount if paid within \_\_\_\_\_ days from delivery and acceptance of goods or completion of services.

## PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within 1 days from receipt of order.

## IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish this information requested above.

Sign Here:

Piercetown Equipment Co., Inc.

Name of Company Gardner Sec-Treas.

P. O. Box 233 This

Address Laketon, Ind. 46643

Page 1 of 6Ref. No. 768Date February 15, 1977

Date wanted \_\_\_\_\_

Fund 28-880-424

Appropriation No. \_\_\_\_\_



Item #1Quote Price for 1977

100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion \$ \_\_\_\_\_

Item #2Quote Price for 1977

200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic) \$ \_\_\_\_\_

Item #3Quote price for 1977

300 Tons (More or Less) AP-3 Penetration Asphalt Cement (1) @\$75.06 \$ 22,518.00  
(2) @81.56 \$ 24,468.00

Item #4Quote price for 1977

100 Tons (More or Less) AP-1 Penetration Asphalt Cement (1) @\$75.06 \$ 7,506.00  
(2) @81.56 \$ 8,156.00

All prices include delivery to and in our Tanks at complex located at 1700 Block of South Lafayette Street by Transport.

(1) Source of Supply - Laketon, Ind. - Based on dock price of \$70.00

(2) Source of Supply - E. Chicago or Whiting, Ind. - Based on dock price of \$70.00

Escalator and allocation clauses attached.

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,  
Kosciusko COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Gaul J. Beebe Sec-Treas.-----

-----  
Bidder or Agent

For Piercetown Equipment Co., Inc.-----  
Firm or Corporation

Subscribed and sworn to before me this 1st day of March, 19 77

My Commission Expires

April 6, 1980

J. R. Young  
-----  
Notary Public

REQUEST FOR PUBLICATION

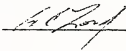
News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following  
advertisement on the dates as  
shown and issue invoice to \*

\* Department Street Department  
231 South Clinton Street  
Address Fort Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By 

BIDS WANTED - REFERENCE NO. 768

Sealed Proposals will be received by the City of Fort Wayne at the  
Office of Department of Purchases, Number One Main Street, Room  
470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 3:00 P.M.  
for the following items:

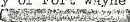
- 100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion
- 200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic)
- 300 Tons (More or Less) AP-3 Penetration Asphalt Cement
- 100 Tons (More or Less) AP-1 Penetration Asphalt Cement

Each Bidder must submit a written Affirmative Action Program with his or  
her Bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at  
the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Bid  
must be submitted with the bid.

The successful Bidder will be required to furnish a \$2500.00 Performance Bond.

Department of Purchases  
City of Fort Wayne  
By  A. C. Lord  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE

# PROPOSAL AND BID SURETY FORM

Page 6 of 6

## PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

## BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of .....

Two Thousand Dollars (\$2,000.00) ..... Dollars, to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

BID CHECK (ALTERNATE FORM OF SURETY):

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

## ATTENTION BIDDERS

Use This Form Only - DO NOT Substitute Some other Form. (Use of any other Form will Disqualify your Bid.)

..... Dollars  
..... Bank  
..... same terms and conditions as set forth in the above bond.

## SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER  
AND  
PRINCIPAL

Pierceton Equipment Co., Inc.  
Name of Bidder—Print or Type  
By Paul J. Beck  
Signature of Person Authorized to Sign  
Title Secretary-Treasurer  
P. O. Box 233  
Street Name and Number  
Laketon, Ind. 46943  
City, State and Zip Code  
Date March 1, 1977

See Cover Letter

The Ohio Casualty Insurance Company  
Name of Company — Print or Type

Incorporated  
In the State of: Hamilton, Ohio

Address: .....

By Paul J. Beck  
Atty-in-Fact on this Line

Date 3-1-77

Witnessed by:

SURETY

CERTIFIED COPY OF POWER OF ATTORNEY  
**THE OHIO CASUALTY INSURANCE COMPANY**

HOME OFFICE, HAMILTON, OHIO

No. 9980

**Know All Men by These Presents:** That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint: Robert Beauchamp or Richard Neher or Robert W. Beauchamp, Jr.  
or Lois Jasorka or T. A. McSpadden ----- of Wabash, Indiana -----

its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

ONE HUNDRED THOUSAND ----- \$100,000.00-----) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 6th day of May 19 68

(Signed) J. Earl Rochester  
Vice-President



STATE OF OHIO.  
COUNTY OF BUTLER } SS.

On this 6th day of May A. D. 19 68 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came J. Earl Rochester, Vice-President of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposed and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

(Signed) Dorothy Bibee  
Notary Public in and for County of Butler, State of Ohio  
My Commission expires December 9, 1971

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 1st day of March A. D., 19 77



*John H. Kohn*



# PIERCETON EQUIPMENT COMPANY, INC.

P. O. BOX 233

LAKETON, INDIANA 46943

TELEPHONE 219 982-2175

DIAMOND REO SALES & SERVICE

PETROLEUM PRODUCTS - ASPHALT - ROAD OILS

The Bidder shall have the right to increase the contract price in an amount equal to the bidder's increase in costs of materials and supplies occurring subsequent to the date on which such bid is submitted ( hereinafter referred to as "Base Date") to the board having authority to award contracts. Any increase (or decrease) in the bidder's cost of materials and supplies after the base date whenever such price change occurs, and shall be verified by proper documents furnished to the responsible awarding board which shall include proof of price to the bidder from the bidder's source of supply.

Bidder may reserve the right to allocate its product to its customers in a fair and equitable manner, if necessary, due to the reduction of the allocation from the source of supply to the bidder in accordance with any directives for mandatory allocation issued by an appropriate agency of the Federal government.

~~This document is the property of Piercetons Equipment Company, Inc. and is loaned to you for your use only. It is not to be distributed outside of your organization.~~

PIERCETON EQUIPMENT COMPANY, INC.

*Paul F. Beebe*

Paul F. Beebe  
SECRETARY-TREASURER

## CITY OF FORT WAYNE

## DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

## INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

\*Mail all replies and correspondence, etc. to Attn. of A.C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

## REQUIRED FOR DELIVERY TO:

Department Street Department  
or Division

231 South Clinton Street

Address Fort Wayne, Indiana 46803

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Thursday - March 3, 1977 - 3:00 P.M.  
Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 34408. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 18 on reverse hereof for details.

## TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
00,000	Gallons	Item #1 (More or Less) AE-150 Chip & Seal Asphalt Emulsion. (Must conform to Indiana Highway Specifications No. 902.04)	10.2153 10.2153	134,880.00 134,880.00
200,000	Gallons	Item #2 (More or Less) CRS-2 Chip & Seal Asphalt Emulsion (Cationic)	10.3938 10.3938	469,760.00 469,760.00
500	Tons	Item #3 (More or Less) AP-3 Penetration Asphalt Cement		
100	Tons	Item #4 (More or Less) AP-1 Penetration Asphalt Cement		
<p>The award of this Bid may be made on either an item by item, or on an overall basis, as we determine the most beneficial to the City.</p> <p>The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.</p> <p>Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office.</p> <p>Specify Which: On File: _____ Attached: <input checked="" type="checkbox"/></p>				

Bid Bond required ☐ YES ☒ 5% Performance Bond ☐ YES ☒ \$2500.00  
See instruction item No. 18 on reverse side hereof.  
Terms \_\_\_\_\_ % cash discount if paid within \_\_\_\_\_ days from delivery and acceptance of goods or completion of services.

## PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and as the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within \_\_\_\_\_ days from receipt of order.

## IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

EMULSIFIED ASPHALTS, INC.  
A SUBSIDIARY OF KOPPERS CO., INC.

Name of Company SALES MANAGER  
For \_\_\_\_\_ Title

Address 4900 S. Mason Ave. Chicago, Ill. 60632

Page 1 of 6

Ref. No. 768

Date February 15, 1977

Date wanted \_\_\_\_\_

Fund 28-880-424

Appropriation No. \_\_\_\_\_

Item #1

Quote Price for 1977

100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion

\$ 34,880.00

Item #2

Quote Price for 1977

200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic)

\$ 69,760.00

Item #3

Quote price for 1977

300 Tons (More or Less) AP-3 Penetration Asphalt Cement

\$ \_\_\_\_\_

Item #4

Quote price for 1977

100 Tons (More or Less) AP-1 Penetration Asphalt Cement

\$ \_\_\_\_\_

All prices include delivery to and in our Tanks at complex located  
at 1700 Block of South Lafayette Street by Transport.



NON-COLLUSION AFFIDAVITSTATE OF ILLINOIS  
~~STATE OF ILLINOIS~~

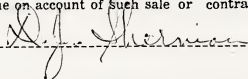
COOK

COUNTY

} SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.



Bidder or Agent

Emulsified Asphalts, Inc.

For A Subsidiary of Koppers Company, Inc.

Firm or Corporation

Subscribed and sworn to before me this 23rd day of February, 1977

My Commission Expires

4-3-77

REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following  
advertisement on the dates as  
shown and issue invoice to \*

\* Department Street Department  
231 South Clinton Street  
Address Fort Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By A. C. Lord

BIDS WANTED - REFERENCE NO. 768

Sealed Proposals will be received by the City of Fort Wayne at the  
Office of Department of Purchases, Number One Main Street, Room  
470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 3:00 P.M.  
for the following items:

- 100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion
- 200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic)
- 300 Tons (More or Less) AP-3 Penetration Asphalt Cement
- 100 Tons (More or Less) AP-1 Penetration Asphalt Cement

Each Bidder must submit a written Affirmative Action Program with his or  
her Bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at  
the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Bid  
must be submitted with the bid.

The successful Bidder will be required to furnish a \$2500.00 Performance Bond.

Department of Purchases  
City of Fort Wayne  
By A. C. Lord  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE

# PROPOSAL AND BID SURETY FORM

Page 6 of 6

## PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

## BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of \$10,000

Ten Thousand

..... Dollars,  
to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

## BID CHECK (ALTERNATE FORM OF SURETY):

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

## ATTENTION BIDDERS

Use This Form Only - DO NOT Substitute Some other Form. (Use of any other Form will Disqualify your Bid.)

..... Dollars  
..... Bank  
..... same terms and conditions as set forth in the above bond.

## SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

.....  
OTHER PARTIES INTERESTED IN  
THIS PROPOSAL  
(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER  
AND  
PRINCIPAL

Emulsified Asphalts, Inc. A.  
Subsidiary of Koppers Co., Inc.

Name of Bidder—Print or Type

By

Signature of Person Authorized to Sign

Title Sales Manager

4900 South Mason Avenue

Street Name and Number

Chicago, Illinois 60638

City, State and Zip Code

Date.....

See Cover Letter

Name of Company — Print or Type

Incorporated

In the State of;

Address.....

By.....

Sign on this Line

Witnessed by:

SURETY



# CHUBB & SON INC.

Manager

100 William Street, New York, N. Y. 10038

## FEDERAL INSURANCE COMPANY

### BID BOND

Bond No. IND 77-1

Amount \$10,000.00

### Know All Men By These Presents,

That we, Emulsified Asphalts, Inc., a Subsidiary of Koppers Company, Inc

(hereinafter called the "Principal"),  
as Principal, and the FEDERAL INSURANCE COMPANY, of the City of New York, New York, a corporation  
duly organized under the laws of the State of New Jersey, (hereinafter called the "Surety"), as Surety, are  
held and firmly bound unto  
the City of Fort Wayne, Indiana

(hereinafter called the "Obligee"),

in the sum of ten Thousand and 00/100 Dollars  
(\$ 10,000.00), for the payment of which sum, well and truly to be made, we, the said Principal and the  
said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and  
severally, firmly by these presents.

Sealed with our seals and dated this 24th day of February,  
A. D. nineteen hundred and Seventy Seven

WHEREAS, the Principal has submitted a bid, dated March 3, 1977.  
for Bituminous Paving Materials

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter  
into a contract with the Obligee in accordance with such bid and give bond with good and sufficient surety  
for the faithful performance of such contract, or in the event of the failure of the Principal to enter into  
such contract and give such bond, if the Principal shall pay to the Obligee the difference, not to exceed  
the penalty hereof, between the amount specified in said bid and the amount for which the Obligee may  
legally contract with another party to perform the work covered by said bid, if the latter amount be in  
excess of the former, then this obligation shall be null and void, otherwise to remain in full force and effect.

Emulsified Asphalts, Inc  
a Subsidiary of Koppers Company, Inc.

Principal

# POWER OF ATTORNEY

Know all Men by these Presents, That the FEDERAL INSURANCE COMPANY, 90 John Street, New York, New York, a New Jersey Corporation, has constituted and appointed, and does hereby constitute and appoint David Johnson, Ronald J. Parry of Pittsburgh, Pennsylvania - - - -

each its true and lawful Attorney-in-Fact to execute - - - - - under such designation in its name and to affix its corporate seal to and deliver for and on its behalf as surety thereon or otherwise bonds or obligations on behalf of

KOPPERS CO., INC AND SUBSIDIARIES  
PITTSBURGH, PENNSYLVANIA - - - - -

in connection with bids or proposals to or with the United States of America, any State or political subdivision thereof or any person, firm or corporation.

And the execution of such bond or obligation by such Attorneys-in-Fact in this Company's name and on its behalf as Surety thereon or otherwise, under its corporate seal, in pursuance of the authority hereby conferred shall, upon delivery thereof, be valid and binding upon this Company.

In Witness Whereof, the said FEDERAL INSURANCE COMPANY has, pursuant to its By-Laws, caused these presents to be signed by its Assistant Vice President and Assistant Secretary and its corporate seal to be hereto affixed this 25th day of September 1972

FEDERAL INSURANCE COMPANY  
By



*George McClellan*  
George McClellan  
Assistant Vice-President

*John MacGregor*  
John MacGregor  
Assistant Secretary

STATE OF NEW YORK }  
County of New York } ss.:

On this 25th day of September 1972, before me personally came John MacGregor, to me known and by me known to be Assistant Secretary of the FEDERAL INSURANCE COMPANY, the Corporation described in and which executed the foregoing Power of Attorney and the said John MacGregor being by me duly sworn, did depose and say that he resides in the City of Short Hills, in the State of New Jersey; that he is Assistant Secretary of the FEDERAL INSURANCE COMPANY and knows the corporate seal thereof; that the seal affixed to the foregoing Power of Attorney is such corporate seal and was thereto affixed by authority of the By-Laws of said Company and that he signed said Power of Attorney as Assistant Secretary of said Company by like authority; that he is acquainted with George McClellan and knows him to be Assistant Vice-President of said Company, and that the signature of said George McClellan subscribed to said Power of Attorney is in the genuine handwriting of said George McClellan and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Acknowledged and Sworn to before me  
on the date above written

*Mary K. Bendick*

Notary Public



MARY K. BENDICK  
Notary Public, State of New York  
No. 24-0237960  
Qualified in Kings County  
Certificate filed in New York County

## CITY OF FORT WAYNE

## DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

## INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

\*Mail all replies and correspondence, etc. to Attn. of A.C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

## REQUIRED FOR DELIVERY TO:

Department Street Department  
or Division 231 South Clinton Street

Address Fort Wayne, Indiana 46803

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Thursday - March 3, 1977 - 3:00 P.M.

Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 14608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 19 on reverse hereof for details.

## TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Service	Unit Price	Total Amount
00,000 Gallons		Item #1 (More or Less) AE-150 Chip & Seal Asphalt Emulsion. (Must conform to Indiana Highway Specifications No. 902.04)	NO BID	
200,000 Gallons		Item #2 (More or Less) CRS-2 Chip & Seal Asphalt Emulsion (Cationic)	0.3686	73,720.00
500 Tons		Item #3 (More or Less) AP-3 Penetration Asphalt Cement	NO BID	
100 Tons		Item #4 (More or Less) AP-1 Penetration Asphalt Cement	NO BID	
The award of this Bid may be made on either an item by item, or on an overall basis, as we determine the most beneficial to the City.				
The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.				
Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office.				
Specify Which: On File: _____ Attached: <u>X</u>				

Bid Bond required ☐ NO ☒ YES 5% Performance Bond ☐ NO ☒ YES \$2500.00  
Net 30 days See instruction item No. 18 on reverse side hereof.  
Terms \_\_\_\_\_ % cash discount if paid within \_\_\_\_\_ days from delivery and acceptance of goods or completion of services.

## PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications appearing and as the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within \_\_\_\_\_ days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

Bitucote Products Co.

Name of Company

For 1124 Title PresidentAddress 1824 Knox Ave. St. Louis Mo. 63139

Item #1

Quote Price for 1977

100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion \$ NO BID

Item #2

Quote Price for 1977

200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic) \$ 0.3686/gal.

Item #3

Quote price for 1977

300 Tons (More or Less) AP-3 Penetration Asphalt Cement \$ NO BID

Item #4

Quote price for 1977

100 Tons (More or Less) AP-1 Penetration Asphalt Cement \$ NO BID

All prices include delivery to and in our Tanks at complex located  
at 1700 Block of South Lafayette Street by Transport.

NON-COLLUSION AFFIDAVIT

MISSOURI  
STATE OF ~~XXXXXXXX~~ CITY } SS:  
ST. LOUIS ~~XXXXXXXX~~

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

*Otto Hadley*  
-----  
Otto Hadley

President  
-----

Bidder or Agent

For Bitucote Products Co.  
-----

Firm or Corporation

Subscribed and sworn to before me this 24th day of February, 1977

My Commission Expires

March 20, 1978  
-----

*Mary E. Cacavandis*  
-----



REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following  
advertisement on the dates as  
shown and issue invoice to \*

\* Department Street Department  
231 South Clinton Street  
Address Fort Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By *A. C. Lord*

BIDS WANTED - REFERENCE NO. 768

Sealed Proposals will be received by the City of Fort Wayne at the  
Office of Department of Purchases, Number One Main Street, Room  
470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 3:00 P.M.  
for the following items:

- 100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion
- 200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic)
- 300 Tons (More or Less) AP-3 Penetration Asphalt Cement
- 100 Tons (More or Less) AP-1 Penetration Asphalt Cement

Each Bidder must submit a written Affirmative Action Program with his or  
her Bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at  
the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Bid  
must be submitted with the bid.

The successful Bidder will be required to furnish a \$2500.00 Performance Bond.

Department of Purchases  
City of Fort Wayne  
By *A. C. Lord*  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE

# PROPOSAL AND BID SURETY FORM

Page 6 of 6

## PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

## BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of 5% of Accompanying Bid

..... Dollars,  
to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

RID CHECK (ALTERNATE FORM OF SURETY):

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" be the bond accompanying the same.

## ATTENTION BIDDERS

Use This Form Only - DO NOT Substitute  
Some other Form. (Use of any other  
Form will Disqualify your Bid.)

..... Dollars  
..... Bank  
..... same terms and conditions as set forth in the above bond.

## SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN  
THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER  
AND  
PRINCIPAL

Bitucote Products Co., Inc.

Name of Bidder—Print or Type

By

Signature of Person Authorized to Sign

Title

1824 Knox Ave.,

Street Name and Number

St. Louis, MO 63139

City, State and Zip Code

Date March 3, 1977

See Cover Letter

SAFECO INSURANCE COMPANY OF AMERICA

Name of Company—Print or Type

Incorporated

Washington

In the State of:

Address Safeco Plaza, Seattle, Washington

By

Shirley A. Schroeder—Attorney-IN-Fact

Date March 3, 1977

SURETY

Witnessed by:

Kay Burt

STATE OF MISSOURI

County of ST. LOUIS

} ss

On this 3rd day of March, 1977, before me personally appeared Shirley A. Shoemaker, known to me to be the Attorney-in-Fact of SAFECO INSURANCE COMPANY OF AMERICA, GENERAL INSURANCE COMPANY OF AMERICA or FIRST NATIONAL INSURANCE COMPANY OF AMERICA, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

M. Dreisewerd  
Notary Public in the State of MISSOURI  
~~EXCISE~~ CITY OF ST. LOUIS

M. Dreisewerd, 1980  
My Commission Expires April 14, 1980

PRINTED IN U.S.A.

(Seal)

S-230 R3 10/72

IN WITNESS WHEREOF, Safeco Insurance Company of America and General Insurance Company of America have each executed and attested these presents

this 18th day of November, 19 76.

W.D. Hammersla  
W.D. HAMMERSLA, SECRETARY

Gordon H. Sweeney  
GORDON H. SWEANY, PRESIDENT

#### CERTIFICATE

Extract from Article VI, Section 12, of the By-Laws of SAFECO Insurance Company of America and of General Insurance Company of America:

"Article VI, Section 12, - FIDELITY AND SURETY BONDS . . . the President, any Vice President, and the Secretary shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO Insurance Company of America and of General Insurance Company of America adopted July 28, 1970:

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article VI, Section 12 of the By-Laws, and
  - (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
  - (iii) Certifying that said power-of-attorney appointment is in full force and effect,
- the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Wm. Hammersla, Vice President and Secretary of SAFECO Insurance Company of America and of General Insurance Company of America, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power-of-Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power-of-Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of each corporation

this 3rd day of March, 19 77.



W.D. Hammersla  
W.D. HAMMERSLA, SECRETARY

PRINTED IN U.S.A.

## CITY OF FORT WAYNE

## DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

## INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

\*Mail all replies and correspondence, etc. to Attn. of A.C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

## REQUIRED FOR DELIVERY TO:

Department Street Department  
or Division 231 South Clinton Street  
Fort Wayne, Indiana 46803

RETURN ORIGINAL TO THE CITY — RETAIN DUPLICATE COPY FOR YOUR FILE

Closing Thursday - March 3, 1977 - 3:00 P.M.  
Time of Bids

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 3468. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

## TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
100,000 Gallons		Item #1 (More or Less) AE-150 Chip & Seal Asphalt Emulsion. (Must conform to Indiana Highway Specifications No. 902.04)		
200,000 Gallons		Item #2 (More or Less) CRS-2 Chip & Seal Asphalt Emulsion (Cationic)		
300 Tons		Item #3 (More or Less) AP-3 Penetration Asphalt Cement		
100 Tons		Item #4 (More or Less) AP-1 Penetration Asphalt Cement		
The award of this Bid may be made on either an item by item, or on an overall basis, as we determine the most beneficial to the City.				
The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.				
Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office.				
Specify Which: On File: _____ Attached: <input checked="" type="checkbox"/>				

Bid Bond required ☐ NO ☒ YES 5% Performance Bond ☐ NO ☒ YES \$2500.00  
 See instruction item No. 10 on reverse side hereof.  
 Terms 5% cash discount if paid within 10 days from delivery and acceptance of goods or completion of services.

## PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within 10 days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

BITUMINOUS MATERIALS COMPANY, INC.

For Thomas J. Kelly President Sec.-Treasurer  
 By Thomas J. Kelly President

Page 1 of 6Ref. No. 768Date February 15, 1977

Date wanted \_\_\_\_\_

Fund 28-880-424

Appropriation No. \_\_\_\_\_

Item #1

Quote Price for 1977

100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion

\$ 3496  
*per gal.*

Item #2

Quote Price for 1977

200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion  
(Cationic)

\$ 3431  
*per gal.*

Item #3

Quote price for 1977

300 Tons (More or Less) AP-3 Penetration Asphalt Cement

\$ 77.10 *per ton*

Item #4

Quote price for 1977

100 Tons (More or Less) AP-1 Penetration Asphalt Cement

\$ 77.10 *per ton*

All prices include delivery to and in our Tanks at complex located  
at 1700 Block of South Lafayette Street by Transport.

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA, }  
VIGO } SS:  
COUNTY }

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Thomas L. Kelly  
Thomas L. Kelly, Secretary Treasurer  
Bidder or Agent

For BITUMINOUS MATERIALS COMPANY, INC.  
Firm or Corporation

Subscribed and sworn to before me this 25th day of February, 1977

My Commission Expires

January 18, 1979

Gale W. Clark

REQUEST FOR PUBLICATION

News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following advertisement on the dates as shown and issue invoice to \*

\* Department Street Department  
231 South Clinton Street  
Address Fort Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By A. C. Lord

BIDS WANTED - REFERENCE NO. 768

Sealed Proposals will be received by the City of Fort Wayne at the Office of Department of Purchases, Number One Main Street, Room 470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 3:00 P.M. for the following items:

- 100,000 Gallons (More or Less) AE-150 Chip & Seal Asphalt Emulsion
- 200,000 Gallons (More or Less) CRS-2 Chip & Seal Asphalt Emulsion (Cationic)
- 300 Tons (More or Less) AP-3 Penetration Asphalt Cement
- 100 Tons (More or Less) AP-1 Penetration Asphalt Cement

Each Bidder must submit a written Affirmative Action Program with his or her Bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Bid must be submitted with the bid.

The successful Bidder will be required to furnish a \$2500.00 Performance Bond.

Department of Purchases  
City of Fort Wayne

By A. C. Lord  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE



# PROPOSAL AND BID SURETY FORM

Page 6 of 6

## PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

## BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of NINE THOUSAND THREE HUNDRED AND NO/100 ----- Dollars, (\$9,300.00)-----

to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

## BID CHECK (ALTERNATE FORM OF SURETY):

Certified ☐

Cashiers ☐

Check No. .... in the sum of ..... Dollars

on ..... Bank

of .....

is herewith submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond.

Note: If Check is used as Bid Surety—Attach here.

## SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

*W. Clark* *W. K. Smith*

BIDDER  
AND  
PRINCIPAL

## OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

Witnessed by:

*Doeglas O. Ginn*

SURETY

## BITUMINOUS MATERIALS COMPANY, INC.

Name of Bidder—Print or Type

By *Richard W. Kelly*

Signature of Person Authorized to Sign

Title *Chairman of the Board*

2720 East Durbin Road

Street Name and Number

Warsaw, Indiana 46580

City, State and Zip Code

Date *February 25, 1977*

See Cover Letter

## COMMERCIAL INSURANCE COMPANY OF NEWARK, N.J.

Name of Company—Print or Type

Incorporated  
In the State of: *NEW JERSEY*

Address *80 MAIDEN LANE, NEW YORK, N.Y.*

By *Sarah R. Blair*

Sign on this Line  
SARAH R. BLAIR - ATTORNEY

Date *FEBRUARY 25, 1977*



# Commercial Insurance Company of Newark, N. J.

80 Maiden Lane, New York, New York 10038

## GENERAL POWER OF ATTORNEY

Know all men by these Presents, That the COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J. has made, constituted and appointed, and by these presents does make, constitute and appoint

Donald W. Scott or Douglas A. Grim or Sarah R. Blair or James H. Zentko or Marianne Hays  
all of Terre Haute, Indiana, EACH

its true and lawful attorney for it and in its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertakings and contracts of suretyship to be given to

all obligees

provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of One Million (\$1,000,000.) Dollars.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J. on the 20th day of February, 1975:

"RESOLVED, that the Chairman of the Board, the Vice Chairman of the Board, the President, an Executive Vice President or a Senior Vice President or a Vice President of the Company, be, and that each or any of them hereby is, authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J. bonds, undertakings and all contracts of suretyship; and that an Assistant Vice President, a Secretary or an Assistant Secretary be, and that each or any of them hereby is, authorized to attest the execution of any such Power of Attorney, and to attach thereto the seal of the Company.

FURTHER RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached."

In Witness Whereof, the COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J. has caused its official seal to be hereunto affixed, and these presents to be signed by one of its Senior Vice Presidents and attested by one of its Assistant Vice Presidents this 22nd day of April, 1975.

COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J.

Attest:

*Eugene P. Dougherty*

Eugene P. Dougherty, Assistant Vice President

By



*R. K. Ruesch*

R. K. Ruesch, Senior Vice President

STATE OF NEW YORK

ss:

COUNTY OF NEW YORK

On this 22nd day of April, 1975, before me personally came R. K. Ruesch, to me known, who being by me duly sworn, did depose and say that he resides in New Providence, in the County of Union, State of New Jersey, at 35 Alden Road; that he is a Senior Vice President of the COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J., the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



CERTIFICATE

*Herbert Hoffman*  
HERBERT HOFFMAN  
NOTARY PUBLIC, State of New York  
No. 52-1871035 Qual. in Suffolk County  
Cert. filed in N. Y. Co. Clk's Office  
Commission Expires March 30, 1977

I, the undersigned, an Assistant Secretary of the COMMERCIAL INSURANCE COMPANY OF NEWARK, N. J., a New Jersey corporation, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the provision of the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed at the City of New York. Dated the 25<sup>th</sup> day of February, 1977.



*James M. Keene*

TITLE OF ORDINANCE SPECIAL ORDINANCE - Civil City Blanket Purchase Order 4-00393DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKSSYNOPSIS OF ORDINANCE Blanket Civil City Purchase Order 4-00393 to Bituminous

Materials Company, Inc. covers purchase of Asphalt Emulsion and Asphalt Cement  
for use of the Street Department in 1977. Eight vendors were notified.

The lowest and only complete bid was submitted by Bituminous Matwrials Co., Inc.  
as follows:

100,000 gal. AE-150 Chip & Seal Asphalt Emulsion --- \$ .3496 gal

200,000 gal. CRS-2 Chip & Seal Asphalt Emulsion ----- .3431 gal

300 tons AP-3 Penetration Asphalt Cement ----- 77.10 per ton

100 tons AP-1 Penetration Asphalt Cement 77.10 per ton

(SEE BID TABULATION AND BIDS ATTACHED)

EFFECT OF PASSAGE Established vendor and price - to be ordered as neededEFFECT OF NON-PASSAGE Need to purchase in smaller quantities as needed at higher costMONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Cost to Street Department

per schedule

ASSIGNED TO COMMITTEE James